

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

12	TEDDY LEROY WILSON, Jr., CDCR	)	Case No. 06cv2420-WQH (BLM)
13	#78443,	)	
14	Plaintiff,	)	<b>ORDER GRANTING THIRD MOTION</b>
15	v.	)	<b>REQUESTING EXTENSION OF TIME</b>
16	ISMAEL BRIZYELA, et al.,	)	<b>TO RESPOND</b>
17	Defendants.	)	
		)	<b>[Doc. No. 41]</b>

On December 10, 2007, Plaintiff filed a third request seeking additional time to oppose Defendants' motion to dismiss. Doc. No. 41. The Court granted Plaintiff's second request on October 3, 2007. Doc. No. 38.

Plaintiff submits that he could not comply with the December 14, 2007 deadline for filing an opposition because while he now is able to leave the residential treatment facility in which he resides, he is allowed to do so only on one weekend day per week. Doc. No. 41. Because of this limitation, he has been unable to complete the legal research necessary to finalize his opposition to the motion to dismiss. Id. However, Plaintiff anticipates being released from the residential

1 program on January 19, 2008, at which time he will be free to conduct  
2 legal research. Id.

3 Good cause appearing, the Court **GRANTS** Plaintiff's motion for an  
4 extension of time to oppose Defendants' motion to dismiss and extends  
5 the deadline to January 25, 2008. **Plaintiff is hereby warned that no**  
6 **further extensions of time will be granted.**

7 Defendants shall file their reply, if any, on or before February 1,  
8 2008. The hearing date is hereby continued to February 5, 2008 at 9:00  
9 a.m. However, *unless the Court directs otherwise in advance, pursuant*  
10 *to Local Rule 7.1(d)(1), the matter will be resolved without oral*  
11 *argument and no personal appearances are required on* February 5, 2008 *at*  
12 9:00 a.m.

13 **IT IS SO ORDERED.**

14 DATED: December 20, 2007

15 

16 BARBARA L. MAJOR  
17 United States Magistrate Judge  
18  
19

20 COPY TO:

21 HONORABLE WILLIAM Q. HAYES  
22 U.S. DISTRICT JUDGE

23 ALL COUNSEL  
24  
25  
26  
27  
28